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OF RACIAL DISCRIMINATION
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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Tenth periodic reports of States parties due in 1991

Addendum

YEMEN*

[10 March 1992]

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* This report combines in a single document the ninth and tenth periodic reports of Yemen, due on 19 November 1989 and 19 November 1991 respectively. For the seventh and eighth periodic reports of the Government of Yemen, submitted in one document, see CERD/C/158/Add.10, which is still pending consideration.

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I. GENERAL

1. The Republic of Yemen is proud of its time-honoured history of civilization. Its people firmly believe in the principles and teachings of the Islamic religion to which they have adhered for the last 14 centuries. They are fully aware that Almighty God has honoured mankind in his Holy Book in which He said: "We have honoured the sons of Adam, carrying them by land and sea, and have preferred them over many of our creation." They also firmly believe in the equality of all human beings, in accordance with the principles of the noble Islamic Shari'a and the words with which God addressed mankind: "We created you from male and female and divided you into peoples and tribes so that you may know each other. In the sight of God, the most noble of you is the most pious." This is also in accordance with the words of the Apostle of God: "No distinction shall be made between an Arab and a non-Arab, nor between Whites and Blacks, except in terms of their piety."

2. In keeping with these lofty principles embodied in the Islamic Shari'a, concerning non-discrimination in any form or manner between human beings wherever they may be, and with a view to promoting respect for the human rights and freedoms of all persons, securing the repudiation and elimination of all forms of racial discrimination by every possible means and ensuring that all the present and future legislation in the Republic is in conformity with those principles, article 3 of the Constitution stipulates that the Islamic Shari'a is the principal source of legislation. Numerous other articles of the Constitution also stress the need to respect human rights and to safeguard the freedom of all citizens in all fields of learning and literature, as well as equality of opportunity for all citizens in all fields and the right of citizens to participate in political and socio-economic life. Emphasis is also laid on the need to safeguard freedom of thought and expression of opinion and to ensure that all citizens are able to exercise their rights, fulfil their obligations and enjoy equality before the law.

3. The Republic of Yemen has taken numerous steps to implement the International Convention on the Elimination of All Forms of Racial Discrimination at the domestic level and has also acceded to numerous international conventions concerning human rights. The submission of this report is a reaffirmation of the desire of the Republic of Yemen to fulfil its obligations under the said Convention.

4. The Republic of Yemen is endeavouring to implement the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination through its national legislation and, primarily, its Constitution, the country's basic law which guarantees equality among citizens in regard to their rights and obligations. Subsidiary legislation, such as the Civil Service Act, the Political Parties and Organizations Act and the Press Act, etc. clearly reflect our country's sincere intention to fully eliminate all forms of racial discrimination.

II. INFORMATION CONCERNING ARTICLES 2 TO 7 OF THE CONVENTION

Article 2

5. The Republic of Yemen, which has expressed its opposition to all forms of racial discrimination, is bound by the provisions of the Convention and could never permit any manifestation of racial persecution by any individual or group of persons, nor could its legislative, executive and judicial authorities ever engage in any form of racial discrimination against any individual or group of persons, since they are bound by the policy of the State and its national legislation which oppose all manifestations of racial discrimination. Accordingly, it is self-evident that, being opposed to all forms of racial discrimination, our country could never, under any circumstances whatsoever, sponsor, defend or support any individual or group practising racial discrimination.

6. The Republic's position on this question is absolutely clear. Our country has acceded to a number of international conventions which prohibit racial discrimination and seek to ensure the elimination of all forms of such discrimination. These conventions include the Discrimination (Employment and Occupation) Convention No. 111 of 1958 of the International Labour Organisation and the Arab Convention No. 5 of 1976 concerning the employment of women.

7. Our national law prohibits racial discrimination by any persons, group or organization, even though such discrimination does not exist in our society. In this connection, reference can be made to the provisions of the Constitution of the Republic and the other national legislation in force.

8. In view of the free scope that is allowed for conflicting opinions and political pluralism in the Republic of Yemen, numerous political parties and organizations have been formed in the country whose membership is drawn from all sections of society, regardless of colour or social status. Article 39 of the Constitution stipulates as follows:

> "Citizens throughout the Republic have the right to form political and occupational associations and trade unions in a manner consistent with the provisions of the Constitution. They also have the right to form scientific, cultural and social organizations and national federations in furtherance of the objectives of the Constitution. These rights are guaranteed by the State, which shall take all the requisite measures to facilitate their exercise by citizens and to safeguard all the freedoms of political, trade union, cultural, scientific and social institutions and organizations."

9. The Yemeni Council for Peace and Solidarity plays a significant and prominent role in combating racism and strengthening links of solidarity with the peoples struggling for liberation from corrupt racist regimes in South Africa and Israel.

10. Article 4, paragraph 3, of the Political Parties and Organizations Act stipulates as follows: "The party or organization must not be established on a class, confessional, factional or occupational basis, nor on the basis of discrimination on grounds of sex, origin, colour, language, occupation, social status or belief."

Article 3

11. Our country is a party to the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973. There are no practices of this type in our country, which condemns the regimes pursuing that inhuman policy.

12. Our country's position in regard to the racist regime in South Africa is clear. The Republic of Yemen scrupulously applies all the Security Council resolutions concerning the boycott of the racist regime in South Africa, with which it maintains no diplomatic, economic, political or cultural relations. Our country strongly condemns all forms of cooperation with those regimes. We are referring in particular to military cooperation, especially in the field of nuclear weapons, between South Africa and the Zionist entity, which the United Nations has already condemned in successive resolutions.

13. The position of the Republic of Yemen in regard to the crime of apartheid and organizations which advocate it is based on the firm principle of regarding apartheid as a crime against humanity by virtue of Yemen's accession to the International Convention on the Suppression and Punishment of the Crime of Apartheid, article I of which declares apartheid a crime against humanity, a flagrant violation of the principles of international law, particularly the purposes and principles of the Charter of the United Nations, and a threat to international peace and security.

14. Yemen also shares the view of the Commission on Human Rights, as expressed in its resolution 1985/10, that the crime of apartheid is a form of the crime of genocide, which is punishable under the terms of the international convention adopted by the General Assembly of the United Nations on 9 December 1948 in so far as the definition of the crime of apartheid, as contained in article 2 of the Convention, coincides with the definition of the crime of genocide, as contained in article II of the Convention on the Prevention and Punishment of the Crime of Genocide. Moreover, Yemen regards all organizations and individuals advocating racial discrimination as criminals punishable under the provisions of the Penal Code.

15. Yemen consistently maintains its above-mentioned firm position, based on principle, in all international forums and conferences and, at all sessions of the General Assembly of the United Nations, votes in favour of regarding apartheid as a crime against humanity.

16. The State's commitment to the Charter of the United Nations and the Universal Declaration of Human Rights is affirmed in article 5 of the Constitution, which stipulates as follows: "The State affirms its commitment

to the Charter of the United Nations, the Universal Declaration of Human Rights, the Pact of the League of Arab States and the generally recognized principles of international law."

Article 4

17. It should be noted that, up to the time of preparation of this report, no offences punishable under the provisions of this article have been committed, or are likely to be committed, in the Republic of Yemen which prohibits all manifestations of racial discrimination.

Article 5

18. The law guarantees equal treatment before the tribunals and all other organizations administering justice. Under article 27 of the Constitution: "All citizens are equal before the law and in regard to their public rights and obligations, without distinction among them on grounds of sex, colour, origin, language, occupation, social status or belief." All the freedoms of political, trade union, cultural, scientific and social institutions and organizations are also guaranteed.

19. With regard to security of person and protection by the State against violence or bodily harm, article 32 of the Constitution stipulates that the State guarantees the personal inviolability of its citizens and undertakes to safeguard their dignity and security. The circumstances in which a citizen may be deprived of his liberty are defined by law and no one can be deprived of his liberty except by order of a competent tribunal.

20. With the exception of cases of flagrante delicto, no one may be arrested, searched or detained without a warrant issued by a magistrate or the Department of Public Prosecutions, in accordance with the provisions of the law, where such arrest, search or detention is necessitated by the requirements of an investigation or the maintenance of public order and security. No person may be placed under surveillance or investigated except in the manner prescribed by law and the dignity of any person whose liberty is in any way restricted must be safeguarded. The practice of physical or mental torture is prohibited, as is the extraction of confessions by force during investigations. Any person whose liberty is restricted has the right to refuse to make any statements except in the presence of his lawyer. It is prohibited to imprison or detain any person in places other than those subject to the Organization of Prisons Act. Corporal punishment and inhuman treatment at the time of arrest or during the period of detention or imprisonment are likewise prohibited.

21. Anyone who is provisionally arrested on suspicion of the commission of an offence must be brought before a magistrate within 24 hours from the time of his arrest and the magistrate must inform him of the reasons for his arrest, question him and permit him to make statements in his defence and lodge any protests. The magistrate must immediately issue a substantiated order for his remand in custody or release. He can under no circumstances be held in detention for a period longer than that authorized unless a further judicial order is issued.

22. When any person is arrested for any reason, the person designated by him must be notified immediately. This must also be done on the issue of every judicial order for his further remand in custody. If the arrested person is unable to designate anyone, notification must be given to his relatives or to whomever it may concern.

23. Under article 33 of the Constitution: "It is not permissible to apply cruel or inhuman methods of punishment, nor is it permissible to promulgate legislation under which such methods would be tolerated." Under article 34 of the Constitution: "Citizens have the right to apply to the judiciary for the protection of their legitimate rights and interests. They also have the right to submit complaints, criticisms and proposals, directly or indirectly, to the organs and institutions of the State in the legally prescribed manner."

24. With regard to political rights, it should be noted that the Constitution guarantees the equal right of all citizens to participate in elections. Under article 42 of the Constitution: "Every citizen has the guaranteed right to vote and to stand for election." To be able to vote, a person must be: (a) a Yemeni; (b) over 18 years of age. To be able to stand for election to the House of Representatives, a person must be: (a) a Yemeni; (b) over 25 years of age; (c) literate; (d) of good conduct and moral standing.

25. The masses of the people participate extensively in the Government and in the conduct of the country's public affairs, in accordance with article 4 of the Constitution, which stipulates: "The people is the source and holder of authority, which it exercises directly, through referendums and public elections, and indirectly through the legislative and judicial bodies and the elected local councils."

26. The law guarantees the following rights of citizens:

(a) Under the country's Constitution, every citizen enjoys the guaranteed right to freedom of movement within Yemeni territory. This freedom cannot be restricted except in the manner prescribed by law to ensure the security and safety of citizens. Freedom to enter or leave the Republic is regulated by law and no citizen can be expelled from Yemeni territory or prevented from returning thereto (art. 38);

(b) The State shows great concern for Yemeni migrants in other countries and defends their legally recognized rights. The State has concluded a number of agreements concerning consular cooperation with foreign countries in order to monitor the situation and problems of Yemenis abroad. As a result of the Gulf crisis, more than 1 million Yemeni migrants have recently returned to the country, where the State has provided them with all the requisite facilities to enable them to settle, enjoy peace of mind and contribute to the development of the national economy;

(c) The right to nationality is guaranteed by law. Article 1 of the Constitution of the Republic of Yemen stipulates: "The Republic of Yemen is an independent and sovereign State. It is an indivisible unit, no part of which can be relinquished. The Yemeni people is part of the Arab nation and

the Islamic world." Naturalized foreigners enjoy all the rights of native-born Yemenis and the law makes no distinction between naturalized foreigners and the indigenous population. In other words, the law in our country does not divide citizens into categories. The Yemeni Nationality Act No. 6 of 1990 specifies the manner in which Yemeni nationality can be granted, recovered and withdrawn. Article 28 of the Constitution stipulates: "The holding of Yemeni nationality is regulated by law. A Yemeni can under no circumstances be deprived of his nationality, nor can it be withdrawn from a person who has acquired it, except in the manner prescribed by law.";

(d) Marriage is a legally recognized right in our country. The State encourages marriage and family formation and the law guarantees the right to choice of spouse. Marriages are concluded with the consent of both parties. A new family law, designed to promote family cohesion, is currently being drafted with a view to its submission to the House of Representatives;

(e) As indicated in article 6 of the Constitution, the State protects the right to own property alone as well as in association with others. The manner in which foreign capital and foreign investment are treated is clearly defined in the Investment Act No. 22 of 1991;

(f) With regard to the right to inherit, article 3 of the Constitution stipulates: "The Islamic Shari'a is the principal source of legislation." The State regulates and protects inheritance in accordance with the provisions of the Islamic Shari'a;

(g) With regard to the right of citizens to freedom of thought, conscience and religion, article 2 of the Constitution stipulates that Islam is the religion of the State. Although there is only a very limited number of religious minorities, article 27 of the Constitution of the Republic of Yemen guarantees their right to freedom of belief. The State protects freedom of religion and belief in a manner consistent with the provisions of the Constitution;

(h) All citizens enjoy the guaranteed right to freedom of expression. In this connection, article 26 of the Constitution stipulates: "The State guarantees freedom of thought and expression of opinion orally, in writing or in graphic form, within the limits of the law." With regard to the press and publication, Act No. 25 of 1990 stipulates as follows:

> "Art. 3: All citizens have the right to freedom of thought, freedom of the press, freedom of expression and communication and free access to knowledge and information in order to guarantee their ability to express their opinions orally, in writing, in pictorial or graphic form or through any other medium of expression. This right is guaranteed to all citizens in accordance with the provisions of the Constitution and this Act.

Art. 4: The press is independent and enjoys freedom to fulfil its mission of serving society and forming and expressing public opinion by various means within the framework of the Islamic religion and the constitutional principles.

Art. 5: The press is free to publish and receive news and information from its sources, while remaining responsible for what it publishes, within the limits of the law.

Art. 6: The rights of innovative journalists are protected and they enjoy the legal safeguards needed for the exercise of their profession. Their right to express themselves without being called to account in an illegal manner is guaranteed by law, provided that such expression does not infringe the provisions of the law.";

(i) The right to assemble and demonstrate within the framework of the principles embodied in the Constitution is guaranteed (art. 39).

27. Economic, social and cultural rights are as follows:

(a) Every citizen has the right to work. Article 21 of the Constitution stipulates: "Work is a right, an honour and a necessity for the development of society. Every citizen has the right to exercise the occupation of his choice, within the limits of the law, and forced labour cannot be imposed on citizens unless required by law for the performance of a public service in return for equitable remuneration." Article 20 of the Constitution stipulates: "Public service is a duty and an honour for those who perform it. In the discharge of their functions, employees performing such service shall seek to further the public interest and to serve the people. The conditions of public service and the rights and obligations of the persons engaged therein shall be defined by law." Article 12 of the Civil Service Act No. 19 of 1991 stipulates as follows:

"(a) A post in the civil service is an assignment the conscientious discharge of which is a national duty dictated by the public interest. Its aim is to serve citizens in a trustworthy and honourable manner, subordinating personal interests to the public interest, in accordance with the law and the regulations in force. All civil servants are citizens entrusted by the State to achieve this aim and to apply its policy in all political, economic and social fields within their respective spheres of jurisdiction.

(b) The civil service is a basic instrument for the achievement of overall socio-economic development. The State undertakes to provide opportunities for the enhancement of the civil service in accordance with the requirements of modern science and technology.

(c) Posts in the civil service are filled in accordance with the principle of equality of opportunity and the equal rights of all civil servants, without any discrimination. The State undertakes to provide the means to monitor the application of this principle.

(d) The organization and personnel management of the civil service are based on scientific principles and modern administrative techniques. Use is made of the methods and procedures of the social sciences and social psychology in order to further the scientific and technical development of administrative staff and inspire them with a spirit of innovation and systematic scientific thought with a view to the solution of administrative and development-related problems."

The Civil Service Act provides effective legal safeguards for the right of citizens to work and occupy appropriate posts. Under the terms of article 125 thereof, a civil servant cannot be dismissed or removed from office except on the basis of an enforceable judgement issued by a competent court. Article 108 of the Civil Service Act deals with the question of occupational safety and stipulates that the State administrative institutions and units must apply the regulations and provisions concerning occupational safety and health, as laid down in the Labour Law and the implementing regulations pertaining thereto. Civil servants are also covered by the relevant regulations and provisions of the Insurance and Retirement Pensions Act concerning:

(i) Health care;

(ii) Compensation for work-related injury;

(iii) Separation-from-service indemnity;

(iv) Retirement pension;

(v) Any other benefits provided for in the Insurance and Retirement Pensions Act and its supplementing regulations (art. 109);

(b) The right to form trade unions is guaranteed in article 29 of the Constitution of the Republic of Yemen. Article 126 of the Civil Service Act also stipulates that civil servants enjoy the right to form and join trade unions and professional associations seeking to further and defend their interests, in accordance with the Trade Union Organization Act and the Associations and Cooperatives Act. This right is subject only to the obligations arising from their status and the nature of their posts. Under article 127, civil servants also enjoy adequate protection to ensure that they are not penalized, dismissed or denied any of their employment-related rights because of their membership in a trade union or their participation in customary union activities. Article 128 of the same Act embodies the principle of voluntary trade-union membership. No civil servant can be coerced or compelled to join or leave a trade union, nor can he be discriminated against on grounds of his membership or non-membership therein;

(c) Every citizen has the right to housing. The State guarantees this right and has constructed, modernized and renovated housing units. The State has also encouraged the private sector to construct dwellings and invest in

housing projects. Article 35 of the Constitution stipulates that dwellings, places of worship and educational institutions are inviolable and cannot be placed under surveillance or searched except in the circumstances specified by law;

(d) All citizens have the right to health care. The State guarantees this right by providing free health services in all parts of the Republic and by preparing plans to protect the environment, promote preventive health care and occupational safety and health and develop various types of hospitals, health institutions and popular clinics. The State is also endeavouring to improve medical standards and stimulate health awareness among its citizens. Workers have the right to rest and the State guarantees this right through the legal regulation of working hours (arts. 45, 46, 47, 48, 49, 50, 51 and 52 of the Civil Service Act No. 19 of 1991) and weekly and annual holidays with pay (sect. II, arts. 53-61, of the same Act). The State is endeavouring to create appropriate conditions to enable workers and civil servants to enjoy their right to rest through the establishment and expansion of public parks and workers' rest homes. Workers also enjoy the right to social security and occupational safety and health (arts. 108 and 109) and the State undertakes to cater fully for the welfare of every citizen in the event of disability and in old age;

(e) The right to education is guaranteed by the State, which is providing more extensive education opportunities for all its citizens through the planned expansion and development of schools, institutes, universities and cultural and educational institutions. Article 27 of the Constitution of the Republic of Yemen stipulates that all citizens have a right to education, which the State guarantees through the establishment of various types of schools and cultural and educational institutions. The State also caters, in particular, for the welfare of the younger generation by protecting it from delinquency, providing it with a sound religious, intellectual and physical upbringing and creating appropriate conditions for the development of its talents in all fields. Education is free and the State shows particular concern for technical education and vocational training and caters for the needs of persons who were deprived of education due to their social circumstances;

(f) The State also guarantees the right of citizens to participate in cultural activities and make use of all the locally available facilities to that end. Every citizen enjoys the right to use all public places and services, such as theatres, parks, restaurants, hotels, transport and other social services.

Article 6

28. A special chapter of the Constitution is devoted to the protection of the rights of citizens and the requisite constitutional safeguards to this end are contained in articles 31 to 34. The Constitution also guarantees compensation for any illegal acts, including acts and practices of racial discrimination.

29. Article 34 of the Constitution embodies the principle that every citizen has the right to apply to the judiciary for the protection of his legitimate rights and interests and also to submit complaints, criticisms and proposals, either directly or indirectly, to the organs and institutions of the State.

30. With regard to information concerning decisions by judicial and administrative bodies in cases involving racial discrimination, it can be said that, since the revolution, no case or complaint involving racial discrimination has been brought before the tribunals by any individual or group of persons. This is attributable to the major role that the revolution has played in eliminating all the archaic and outmoded relationships that were formerly prevalent.

Article 7

31. The measures taken to implement this article in the field of education are outlined in the following paragraphs.

32. Before the revolution and independence, education was characterized primarily by the fact that it remained restricted to certain areas where the economic and political interests of British colonialism were formerly concentrated in the southern part of the country and where some schools devoted to the study of Islamic jurisprudence had been established under the former imamate regime in the northern part of the country. The policy of the imamate and colonial regimes in the country was designed to promote backwardness, ignorance and illiteracy among the people. The subjects that were taught at that time were a mixture conducive solely to intellectual stagnation, frustration, perpetuation of the country's fragmentation and promotion of racial discrimination. As a result of this policy, there were very few education opportunities for the large numbers of our population seeking intellectual advancement.

33. After the revolution and independence, radical reforms were made in the field of education in order to free it from the legacy of the past and endeavours focused on the establishment of a new education system in which privileges would be abolished in order to make education available to all citizens without exception. This new concept of education, which is based on the principles and purposes of the Yemeni revolution, is designed to teach intellectual and moral values consistent with the aims of the revolution and, in particular, to instil in students the principles of peace, respect for the human person and rejection of the concepts of racial segregation and discrimination.

34. Legislation has been promulgated to regulate education and new curricula have been formulated with a view to developing the character of Yemenis and, in particular, endowing them with a firm desire to establish closer relations with peace-loving peoples and States, making pupils and students fully aware of the importance of the struggle to achieve peace and avert danger, encouraging them to make a personal contribution to the achievement of social harmony and progress and inspiring them with a spirit of friendship toward peoples and opposition to all forms of sectarianism, regionalism and racism.

35. It is noteworthy that all the educational curricula, and especially the subjects of national education, history, geography and literature, are based on a cultured, humanitarian outlook opposed to racial discrimination and conducive to the creation of a generation free from the influences of the colonial eras and the racist tendencies that they encouraged.

36. The basic stage of education is designed to disseminate education and meet the needs of society. The State has made basic education compulsory for all persons of school age. At this stage, attention is focused on the Arabic language and culture, in order to ensure linguistic proficiency, and the Ministry of Education is endeavouring to link the basic educational curricula to the various needs of the local environment and labour market.

37. Basic education constitutes the foundation for the development of future generations by endowing them with the skills and aptitudes needed to enhance their capabilities. It also constitutes the foundation for the consolidation of national unity. Its principal objectives are as follows:

1. To stimulate knowledge and awareness of the principles, practices and precepts of religion and ensure that the student assimilates spiritual values to be applied in his personal and professional life.

2. To endow the student with basic skills in the Arabic language in order to enable him to apply them in his daily life.

3. To enable the student to acquire a basic knowledge of the foreign language that he is learning.

4. To teach the historical facts concerning the Yemeni people and the Arab and Islamic nation of Yemen.

5. To teach certain craft skills appropriate to the student's age at that stage.

6. To enable the student to absorb technology and its applications in his studies and at home.

7. To develop a feeling of patriotism and national pride and a desire to further the country's interests.

8. To foster a scientific mode of thought and encourage personal observation on which judgements and deductions can be based.

9. To develop an awareness of the need for physical fitness, the absorption of lofty values and an aesthetic taste for the arts, as well as the need to express aptitudes and propensities through the practice of appropriate activities.

38. The total number of students at the basic stage of education amounts to 1,902,194 (of which 1,417,467 are male and 484,727 female). The total number of schools amounts to 12,482 (comprising 9,361 primary

schools, 2,057 preparatory schools and 1,063 combined schools). Prior to Yemeni unification, there was a disparity in the education cycles in so far as education in the northern governorates was compulsory for six years at the primary level and three years at the preparatory level, whereas in the southern governorates education at the combined primary and preparatory stages was compulsory for only eight years.

39. The State, represented by the Ministry of Education, is endeavouring to eliminate the effects of the country's former division into two parts by following a procedure to standardize the education cycle at nine years in all parts of the Republic, in addition to standardizing the educational curricula and programmes at this stage, in order to promote greater homogeneity among future generations and establish firm foundations for a successful unified State.

40. The primary, preparatory and combined stages are being amalgamated into a single stage of basic education preceding the diversification of education into the general and specialized types of secondary education (see table 1*).

41. Secondary education is designed to achieve the following general aims:

1. To train a strong and deeply religious younger generation which will derive from its deep faith in God the ability and steadfastness needed to overcome the difficulties and assume the responsibilities with which it will be faced in its later life.

2. To train a believing younger generation which will venerate the values and ideals of the Islamic and Arab nations and respect noble social principles and traditions.

3. To develop the scientific aptitudes of students through the absorption of scientific facts and practical applications and the pursuit of an empirical scientific methodology as a means to achieve progress and examine sources of information and methods for its collection and classification with a view to its utilization in daily life.

4. To continue self-education as a means to develop the student's personality and serve society.

5. To introduce applied studies and technology into this type of education in order to train students in the use of computers.

42. As can be seen from table 2*:

1. The total number of secondary schools amounts to 1,008.

2. The total number of classrooms amounts to 3,792.

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* Tables 1 to 7 may be consulted at the secretariat in the original Arabic and in English.

3. The total number of male students amounts to 116,176.

4. The total number of female students amounts to 22,703.

43. In view of the disparity in the educational cycles in the pre-unification era, the schools in some governorates provide instruction only up to the third grade, while others teach up to the fourth grade. Moreover, from the second grade onwards, the schools in some governorates separate their students into two streams (science and arts).

44. The Ministry is preparing to issue directives under which the educational curricula and programmes will be standardized in order to eliminate the residual effects of the country's deplorable division and strengthen its progress towards the reunification of its territory and people.

45. In view of the increasing social demand for education, endeavours have focused on the need to remedy the problem of the shortage of Yemeni teachers, which has prompted the Ministry of Education to adopt a variety of teacher-training methods. This has led to the application of different systems at teacher-training colleges, the effects of which are still being felt. However, plans are being made to standardize the systems in those colleges in all the governorates of the Republic.

46. Tables 3, 4 and 5* show the extent to which this type of education has been expanded.

47. The State is endeavouring to ensure that technical education and vocational training complement the other types of education in view of their considerable importance for our country's future. This type of education is divided into industrial technical education, commercial technical education, agricultural and veterinary technical education and education at vocational training centres.

48. With regard to the eradication of illiteracy, the State's diligent endeavours to expand its educational services for the people are not confined solely to the various stages of formal education; they extend to persons who have previously been deprived of education opportunities, for whom the Ministry has established a special executive body (the Agency for Adult Education and the Eradication of Illiteracy). Through the activities of this agency, persons who have been unable to receive education are assisted with the same degree of concern that is shown for students enrolled in the various stages and types of formal education.

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* Ibid.

49. Since illiteracy is the most serious problem impeding the people's progress and advancement, the State has opened centres for adult education and the eradication of illiteracy in most governorates and villages in the Republic. Tables 6 and 7* show the extent of demand for enrolment at those centres, as well as their distribution throughout the various governorates.

Culture

50. In our country's view, culture is a civilized means of dialogue among peoples and, as such, must be based on the principle of opposition to racism and promotion of the concept of the equality of peoples and their right to self-determination.

51. Article 18 of the Constitution of the Republic of Yemen stipulates that the State guarantees freedom of scientific research and literary, artistic and cultural achievement, in a manner consistent with the spirit and aims of the Constitution, and also undertakes to provide the means needed to that end. The State is doing everything in its power to further the advancement of science and the arts by encouraging scientific and artistic creativity and innovation and protecting the results thereof. The State is developing and encouraging Yemeni national culture in such a way as to further the causes of freedom, progress and peace and is protecting the national heritage with a view to achieving the aims of the revolution. It is also preserving the Arab and Islamic heritage, encouraging humanitarian culture and freeing society from the false concepts, such as outmoded tribalism, which were propagated by its enemies, in order to place culture in the service of the revolution.

52. The principal measures taken after the revolution in our country are summarized in the follwing paragraphs.

53. In order to develop the performing arts, the State has established an Academy of Fine Arts, which is making extensive and successful endeavours to that end. The formation of folklore troupes has promoted popular and traditional music in a new setting and these troupes, together with other artistic groups set up by national organizations and some civilian and military institutions, have developed the tradition of Yemeni vocal music. Troupes of acrobats have also been formed. The State has made arrangements to record and film popular songs, music and dances in order to ensure their preservation as part of the national heritage. Vocal music has developed considerably in our country, particularly in the case of patriotic songs. The State has also taken steps to develop the dramatic arts by constructing and equipping national theatres, forming national theatrical troupes and encouraging the establishment of local theatrical troupes in the governorates.

54. With regard to libraries and museums, the State has increased the number of bookshops in order to make books available, at subsidized prices, in all parts of the country. The State has also allocated substantial resources to increase the number of museums in the country as a means to propagate culture and preserve the nation's heritage and historical treasures.

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* Ibid.

55. The State is encouraging scientific research for which appropriate conditions have been created through the establishment of the Yemeni Centre for Cultural Research and the Centre for Educational Research. In order to meet the requirements of scientific research, national libraries have been established as sources of reference for researchers in various fields. The State is also encouraging authors.

56. These measures have led to a notable revival of culture and constitute an important step towards the creation of a new culture in our country.

57. The following paragraphs refer to developments in the field of information.

58. The Yemen News Agency (Saba) has been established and publishes a number of news bulletins in Arabic and English. A Public Radio and Television Corporation has also been established. In the field of broadcasting, the State has trained highly qualified journalistic and technical staff and has expanded and modernized studios in accordance with contemporary specifications. The State has also strengthened the radio transmission power so that its radio broadcasts can now be heard in various parts of the world. There are two broadcasting stations at Sana'a and Aden and radio is playing a notable role in combating racial discrimination.

59. In the field of televised broadcasting, qualified staff have been provided, new studios have been established and new equipment has been installed to improve and strengthen the transmitters. Television programmes can now be received in all parts of the Republic and there are two television channels, one in the capital Sana'a and the other at Aden. It should not be forgotten that television also plays a major role in combating racial discrimination through its news and other programmes, including documentary films which illustrate the various forms of repression that are being practised by the racist regimes in Israel, South Africa and other parts of the world.

60. With regard to the press, the Thawra Press Agency has been established, equipped with modern printing presses and staffed with qualified personnel who have been able to improve the form and content of journalistic work in the country, a task in which they have been helped by the growth of the cultural movement and the increasingly effective social and political role that is being played by the masses of the people. The number of newspapers and magazines has increased and they are now dealing with a wider variety of subjects and matters of concern. More than 90 newspapers and magazines are published in our country by governmental and party institutions and social organizations. It is noteworthy that our newspapers and magazines often contain articles condemning all forms of racial discrimination.

61. In the Republic of Yemen, information constitutes an instrument to combat racism and the press is forbidden to print articles advocating racist ideologies, since their publication is a punishable offence. This approach is in keeping with the UNESCO Declaration concerning the contribution of the mass media in countering racism.

62. Yemen is seeking to promote an international approach to the role of the information media in countering racism through a new international information order under which racism will be condemned and opposed wherever it is found. Our information media issue news reports on the struggle against racial discrimination and supports liberation movements throughout the world. Our newspapers print articles to mark occasions designated by the United Nations to commemorate the struggle against racial segregation and discrimination and our information media also publish the texts of the international conventions against racial discrimination.

UNITED
NATIONS

CERD

International Convention
on the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Forty-first session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Tenth periodic reports of States parties due in 1991

Addendum

AUSTRIA*

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* This report contains the ninth and tenth periodic reports of Austria, due on 8 June 1989 and 8 June 1991 respectively, submitted in one document.

For the seventh and eighth periodic reports submitted by the Government of Austria and the summary records of meetings of the Committee at which those reports were considered, see the following documents:

Seventh periodic report - CERD/C/158/Add.1 (CERD/C/SR.837);
Eighth periodic report - CERD/C/158/Add.1 (CERD/C/SR.837).

Reference material as supplied by the Government of Austria may be consulted by members of the Committee in the files of the Secretariat.

GE.92-15885/4150H

[17 March 1992]

INFORMATION RELATING TO ARTICLES 1 TO 7 OF THE CONVENTION*

Article 1

1. In connection with the ratification of the International Convention on the Elimination of all Forms of Racial Discrimination, a specific constitutional act was passed on 3 July 1973 for enforcing this international convention, which prohibits any form of racial discrimination. Its article I, which contains the substantive provisions of the Act, reads as follows:

> "(1) Any form of racial discrimination - even if it is not already ruled out by Article 7 of the Federal Constitution as revised in 1929 or Article 14 of the Convention on the Protection of Human Rights and Fundamental Freedoms, Federal Law Gazette No. 210/1958 - shall be prohibited. The Legislative and Executive branches shall refrain from any discrimination on the sole grounds of race, colour, descent or national or ethnic origin.
>
> "(2) Paragraph (1) shall not prevent the granting of special rights to Austrian nationals or the imposition of special obligations on them, provided this is not ruled out by Article 14 of the Convention on the Protection of Human Rights and Fundamental Freedoms."

2. As regards enthic minorities in Austria, reference is made to the annexed report. In respect of the Slovenian minority in particular, reference is made to the annex.

Article 2

3. In respect of paragraphs 1 (a) and (b), it must be said that racial discrimination is prohibited under the constitutional act mentioned under article 1 above. All public authorities and public institutions are bound by this prohibition.

4. As regards paragraph 1 (c), it must be noted that there are facilities both at the federal and the state levels that are in charge of examining whether bills comply with the requirements of fundamental rights. In this connection, they must also be examined to determine whether they correspond to the prohibition of racial discrimination.

5. Measures within the meaning of paragraphs 1 (d) and (e) have so far proved unnecessary.

6. As regards the measures referred to in paragraph 2, reference is made to the annexed report on ethnic minorities.

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* Information of a general character, prepared pursuant to the consolidated guidelines for the initial part of the reports of States parties contained in document HRI/1991/1, may be found in document HRI/CORE/1/Add.8.

Article 3

7. In view of the internal changes taking place in South Africa, the Austrian Federal Government in late September 1991 decided to suspend temporarily for one year several sanctions restricting economic and cultural relations with South Africa.

Article 4

8. This provision was discussed in detail in the sixth report (CERD/C/106/Add.12). Since then, the legal situation has not changed.

Article 5

9. In the last report (CERD/C/158/Add.1), the questions concerning article 5 were discussed at length. Again, no legal developments have taken place in this connection.

Article 6

10. The chapter "Legal framework for the protection of human rights" of the core document (HRI/CORE/1/Add.8) deals extensively with legal protection.

Article 7

11. In the third report (CERD/C/19), the situation prevailing in the field of education and schooling was explained. The measures enumerated there have meanwhile been continued.